

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re:

NORTH SEA BRENT CRUDE OIL FUTURES
LITIGATION

1:13-md-02475 (ALC)

This document applies to: 1:13-cv-07443-ALC.

-----X

DAVID HARTER, On Behalf of Himself
and All Others Similarly Situated,

Plaintiff,

v.

ROYAL DUTCH SHELL PLC, BP PLC,
STATOIL ASA, STATOIL US HOLDINGS
INC., MORGAN STANLEY, TRAFIGURA
BEHEER B.V., TRAFIGURA AG, PHIBRO
TRADING LLC, VITOL, S.A. MERCURIA
ENERGY TRADING S.A., HESS ENERGY
TRADING COMPANY, LLC and
JOHN DOES 1-50,

Defendants.

-----X

[Oral Argument Requested]

**DEFENDANT PHIBRO
COMMODITIES LIMITED'S
NOTICE OF MOTION TO
DISMISS HARTER
PLAINTIFF'S SECOND
AMENDED CLASS ACTION
COMPLAINT FOR LACK OF
PERSONAL JURISDICTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the undersigned will move this Court before the Honorable Andrew L. Carter, United States District Judge for the Southern District of New York, in Courtroom 1306 at the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York, 10007, on such date and at such time as the Court sets, for an Order pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure dismissing Plaintiffs' Second Amended Class Action Complaint, Dkt. No. 96, for Lack of Personal Jurisdiction with prejudice.

PLEASE TAKE FURTHER NOTICE, that, pursuant to the Court's April 29, 2015, Order, Dkt. No. 357, opposition papers, if any, shall be served on or before 14 days after service of this Motion. Any reply papers shall be served on or before 7 days after service of any opposition papers.

Dated: May 28, 2015.

Respectfully submitted,

**QUINN EMANUEL URQUHART &
SULLIVAN L.L.P.**

By: /s/ Karl S. Stern

Karl S. Stern
711 Louisiana Street, Suite 500
Houston, Texas 77002
Tel 713.221.7171
E-mail karlstern@quinnemanuel.com

**Attorneys for Defendants
Phibro Trading LLC and
Phibro Commodities Ltd.**

TO: **Morgan & Morgan, P.C.**

Peter Safirstein
Domenico Minerva
Elizabeth Metcalf
28 W. 44th Street, Suite 2001
New York, NY 10036
T: (212) 564-1637
F: (212) 564-1807
Email: psafirstein@forthepeople.com
Email: dminerva@forthepeople.com
Email: emetcalf@forthepeople.com

Fenet Law Firm, LLC
Robert Wickliffe Fenet, *Admitted Pro Hac Vice*
4315 Bluebonnet Blvd., Suite B
Baton Rouge, LA 70809
T: (225) 926-5500
F: (225) 296-7417
Email: bob@fenetlaw.com

Edwards Kirby, LLP

John Edwards, *Admitted Pro Hac Vice*

P.O. Box 17005

Raleigh, N.C. 27619

T: (919) 780-5400

F: (919) 800-3099

Email: jedwards@edwardskirby.com

Interim Co-Lead Counsel for proposed

Landowners and Leaseholders class

(the "Coordinated Action")

CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2015, a copy of the foregoing was filed electronically and sent by e-mail to all parties who have appeared by operation of this Court's electronic filing system. Parties may access this filing through the court's CM/ECF System.

/s/ Karl S. Stern

Karl S. Stern